

REMARKS

It is noted from the Office Action mailed 04/19/07 that various references cited in the previously submitted information disclosure statements were not necessarily considered. Specifically, the Examiner crossed out such cited references and then labelled them as "not proper documents." First, applicant respectfully disagrees with such assessment. From previous discussions with the Examiner, it appears that it is the intention of the Examiner to consider such references, but to prevent them from being published on the face of any resulting patent. If this is still the intention of the Examiner, the Examiner is requested to make an official statement in the record that, despite the fact that such references were crossed out, they were nevertheless considered. Submitted herewith is yet another copy of such information disclosure statements, for such purpose.

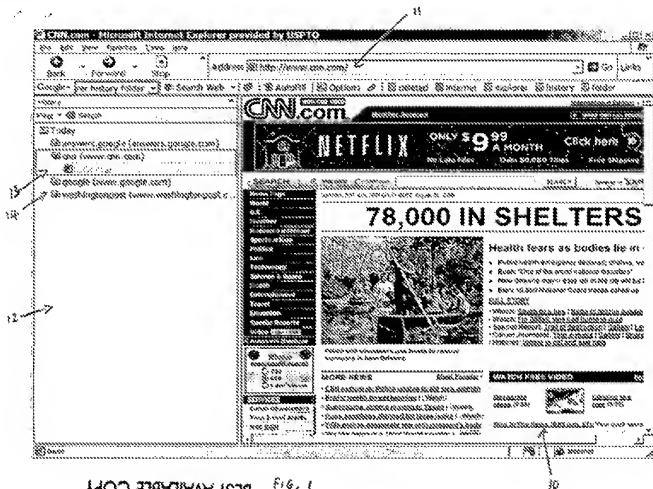
The Examiner has rejected Claims 1 and 23 under 35 U.S.C. 101. Such rejection is deemed avoided by virtue of the clarifications made to the claims hereinabove.

The Examiner has rejected Claims 1-23 under 35 U.S.C 102(a) as being anticipated by MS Internet Explorer (IE). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove. It should be noted that added Claims 1, 24, 42-44 have been amended to replace "pre-select" with the term "select," thus rendering the arguments made in the petition to make special of May 3, 2004 inapplicable to the claims now pending. However, for the reasons noted below, each of the independent claims are now deemed allowable.

Argument #1

It appears that the excerpts from IE relied upon by the Examiner are deficient in numerous respects. For example, the Examiner relies on Figure 1 below from IE to make a prior art showing of applicant's claimed technique "wherein a user is allowed to select at least one of the identifiers, for correlating one of the URLs with the selected identifier" (see Claim 1, as amended -- emphasis added). See, in Claim

24, the claimed “allowing a user to select one of the identifiers in the portion of the graphical user interface separate from the window in which the content associated with the URLs is displayed, for correlating at least one of the URLs with the selected identifier” (emphasis added).



Specifically, the Examiner relies on identifier 13 to meet applicant’s claimed identifiers. Applicant respectfully disagrees with such assertion.

In particular, it appears that the Examiner has not taken into consideration the full weight of applicant’s claims. For example, with respect to Claim 24, applicant’s claims specifically require “allowing a user to select one of the identifiers ... for correlating at least one of the URLs with the selected identifier,” as claimed (emphasis added). In sharp contrast, the foregoing “history” feature of 1E relied on by the Examiner automatically selects the identifier to match the title and/or URL of the web page. There is simply no mechanism for allowing a user to select the identifier, as claimed, such that the user may determine with which

identifier a URL is correlated, as claimed. The other independent claims are deemed allowable for similar, but not identical, reasons (see the exact claim language above).

Argument #2

Applicant asserts that the paramount deficiency highlighted in Argument #1 is rooted in the fact that the foregoing feature from IE is simply a “history” feature that merely tracks which web pages have been visited in association with various sites, and not a feature that allows the user to select an identifier such that a selected URL during use of the network browser may be correlated with the user selected identifier.

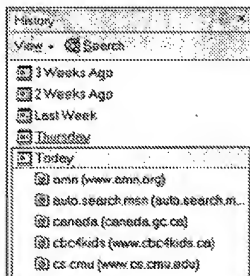
Further, it would be *unobvious* to equip IE with applicant’s claimed feature. Note, for example, the description of the “history” feature below that was provided earlier by the Examiner.

Using History

You can revisit sites by using History. IE5 keeps a record of the sites you have visited for up to three weeks. To backtrack to earlier sessions select View from the menubar, then Explorer Bar and then History. Or just click on the History button in the toolbar.



The History Folder will appear down the left side of the screen and the page you were viewing will be shifted to the right. A list of the sites that you have visited are displayed in this frame. Most sites will have a yellow folder preceding the URL. Click on the yellow folder to see a list of the pages you have visited at that site.



The record keeping of visited sites carried out by the “history” feature requires that identifiers simply be automatically selected after a page is browsed in a manner that is transparent to the user (e.g. by simply selecting the identifier to match the title and/or URL of the web page, etc.). To allow a user to select identifiers (in the context claimed) during such tracking would defeat the purpose of the “history” feature, as it would entail too much user intervention in order to provide the “backtracking” mentioned above. To this end, the “history” feature of IE *teaches away* from applicant’s claimed invention.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegoal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. This criterion has simply not been met by the IE reference.

Argument #3

Nevertheless, despite the foregoing paramount deficiencies in IE relied upon by the Examiner and in the spirit of expediting the prosecution of the present application, applicant has amended the independent claims such that each include the following or similar, but not identical, subject matter, to ensure that IE is clearly distinguished:

“wherein the user is allowed to manually enter the selected identifier which is distinct with respect to the at least one selected URL” (see Claim 1 – emphasis added);

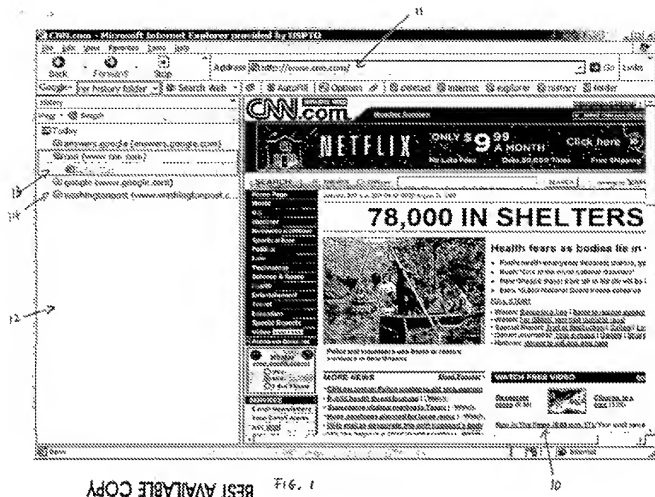
“wherein the user is allowed to manually enter the selected identifier which is distinct with respect to the at least one URL” (see Claim 24 – emphasis added);

“wherein the selection of one of the identifiers includes manual entry of one of the identifiers which is separate from the at least one URL” (see Claim 42 – emphasis added);

“wherein the selected one of the identifiers ... is non-inclusive of any portion of the at least one URL, {and} is capable of being manually entered by a user” (see Claim 43 – emphasis added); and

“wherein the user is allowed to manually enter the selected identifier which is distinct with respect to the plurality of URLs” (see Claim 44 – emphasis added).

Regarding Claim 24, for example, the Examiner relies on Fig. 1 below from IE to make a prior art showing of applicant’s claimed “displaying a plurality of identifiers in a portion of a graphical user interface separate from a window in which content associated with uniform resource locators (URLs) is displayed,” and “allowing a user to select one of the identifiers in the portion of the graphical user interface separate from the window in which the content associated with the URLs is displayed.”



BEST AVAILABLE COPY

Fig. 1

10

Specifically, the Examiner relies on identifier 13 to meet applicant's claimed selected identifiers. However, such identifier 13 is not "distinct with respect to the at least one URL," as claimed by applicant. Instead, quite to the contrary, the identifier 13 includes the URL.

Still yet, the Examiner relies on "(Figs 2-5; selection of element 20 and 22 of fig. 2, and selection of element of 40 and 41 of Fig. 4 are stored); see list 50 of fig. 5)" to meet applicant's claimed "computer code for allowing a user to select one of the identifiers in the portion of the graphical user interface separate from the window in which the content associated with the URLs is displayed, for correlating at least one of the URLs with the selected identifier ... which is distinct with respect to the at least one URL."

However, such figures show some sort of correlation and storage of content or a URL with an identifier associated with the corresponding URL, and not a "selected identifier" which is "distinct with respect to the at least one URL", as

claimed by applicant. Again, content or a URL is correlated with a URL-related identifier in IE.

Applicant asserts that this paramount deficiency is rooted in the fact that the foregoing feature from IE is simply a “history” feature that merely tracks which web pages have been visited in association with various sites, and not a feature that allows the user to **manually select an identifier of choice** such that a selected URL during use of the network browser may be correlated with such selected identifier. The other independent claims are deemed allowable for similar, but not identical, reasons (see the exact claim language above).

Argument #4

Yet again, despite the foregoing paramount deficiencies in IE relied upon by the Examiner and in the spirit of expediting the prosecution of the present application, applicant has further amended the independent claims such that each include the following or similar, but not identical, subject matter, to ensure that IE is clearly distinguished:

“wherein, after the selection, at least one of the URLs selected during use of the network browser is correlated with the selected identifier and stored in a manner that is dependent on a selection of the selected identifier which is distinct with respect to the at least one selected URL” (see Claim 1 -- emphasis added);

“computer code for allowing a user to select one of the identifiers in the portion of the graphical user interface separate from the window in which the content associated with the URLs is displayed, for correlating at least one of the URLs with the selected identifier in a manner that is based on the selected identifier which is distinct with respect to the at least one URL” (see Claim 24 -- emphasis added);

“computer code for receiving a selection of one of the identifiers in the portion of the graphical user interface different from the window in which the content associated with the URLs is displayed, for correlating at least one of the URLs with the selected identifier based on the selection of one of the identifiers which is separate from the at least one URL” (see Claim 42 – emphasis added);

“receiving a selection of one of the identifiers in the portion of the graphical user interface different from the window in which the content associated with the URLs is displayed, for correlating at least one of the URLs with the selected identifier in a manner that is dependent on the selection of one of the identifiers which is non-inclusive of any portion of the at least one URL” (see Claim 43 – emphasis added); and

“computer code for allowing a user to select, by clicking, one of the identifiers in the portion of the graphical user interface separate from the window in which the content associated with the URLs is displayed, for correlating a plurality of the URLs with the selected identifier in a manner that is based on the selected identifier which is distinct with respect to the plurality of URLs” (see Claim 44 – emphasis added).

With respect to Claim 24, for example, it is noted that the Examiner relies on “(Figs 2-5; selection of element 20 and 22 of fig. 2, and selection of element of 40 and 41 of Fig. 4 are stored in the folder 51 of fig. 5)” from IE to make a prior art showing of applicant’s claimed technique “computer code for allowing a user to select one of the identifiers in the portion of the graphical user interface separate from the window in which the content associated with the URLs is displayed, for correlating at least one of the URLs with the selected identifier in a manner that is based on the selected identifier which is distinct with respect to the at least one URL.” (as amended).

It should noted, however, that the selection of the folders and, thereafter, the selection of element 20 and 22 of fig. 2 and element of 40 and 41 of Fig. 4 will

unconditionally correlate the related content and/or URL to a folder with an identifier that is specifically inclusive of the corresponding URL, at least in part.

In sharp contrast, applicant claims, in Claim 24, “computer code for allowing a user to select one of the identifiers in the portion of the graphical user interface separate from the window in which the content associated with the URLs is displayed, for correlating at least one of the URLs with the selected identifier in a manner that is based on the selected identifier which is distinct with respect to the at least one URL” (emphasis added), as claimed. The other independent claims are deemed allowable for similar, but not identical, reasons (see the exact claim language above).

Argument #5

Even yet again, despite the foregoing paramount deficiencies in IE relied upon by the Examiner and in the spirit of expediting the prosecution of the present application, applicant has even further amended the independent claims such that each include the following or similar, but not identical, subject matter, to ensure that IE is clearly distinguished:

“computer code for storing the identifiers and the at least one selected URL on a user device that has the network browser implemented thereon:

wherein the server is capable of being in communication with the user device via a network, the server for storing the identifiers;

wherein information associated with the identifiers is stored at both the user device and the server” (see Claim 1 -- emphasis added);

“wherein the identifiers and the at least one URL are stored on a user device with the network browser installed thereon; and

a server in communication with the user device via a network, the server for storing the identifiers;

wherein the identifiers and information associated with the identifiers are stored at both the user device and the server” (see Claim 24 – emphasis added);

“computer code for storing the identifiers and the at least one URL on a user device with the network browser installed thereon;

wherein the identifiers are also stored on a server in communication with the user device via a network;

wherein the identifiers and information associated with the identifiers are stored at both the user device and the server” (see Claim 42 – emphasis added);

“wherein the identifiers and the at least one URL are stored on a user device with the network browser installed thereon; and

storing the identifiers on a server in communication with the user device via a network;

wherein the identifiers and information associated with the identifiers are stored at both the user device and the server” (see Claim 43 – emphasis added); and

“wherein the identifiers and the plurality of URLs are stored on a user device with the network browser installed thereon; and

a server in communication with the user device via the Internet, the server for storing the identifiers;

wherein the identifiers and information associated with the identifiers are stored at both the user device and the server;

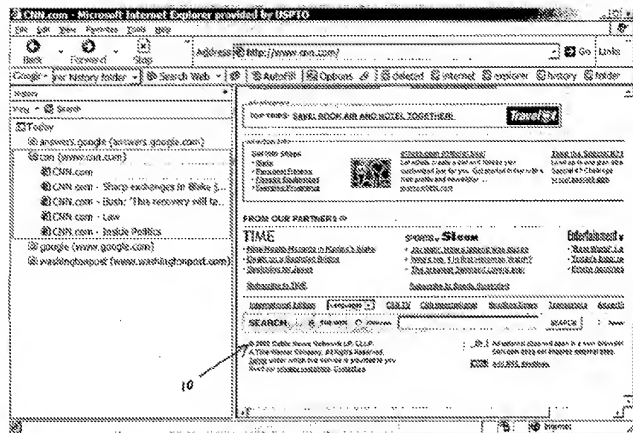
wherein the portion of the graphical user interface includes another window that is situated, at least in part, in front of the window in which the content associated with the URLs is displayed, the other window being displayed in response to a mouse click” (see Claim 44 – emphasis added).

Thus, with respect to Claim 24, only applicant teaches and claims such a technique for storing the identifiers which are distinct with respect to the at least one

URL, etc. on not only the user device, but also on a server, such that information associated with the identifiers is stored at both the user device and the server, as claimed. By this feature, applicant's claimed technique may allow more versatile access to the identifiers and associated information. It is noted that the identifiers, etc. of IE are ONLY stored on the user device and there is absolutely no motivation for storing them elsewhere (e.g. on a server, etc.). The other independent claims are deemed allowable for similar, but not identical, reasons (see the exact claim language above).

A notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

Applicant further argues that the Examiner's rejection is deficient with respect to many additional claims. Just by way of example, the Examiner relies on the aforementioned item 10 from Figure 11 below to make a prior art showing of applicant's claimed "wherein the identifiers include intellectual property identifiers" (see former dependent Claim 9, and now dependent Claim 34).



BEST AVAILABLE COPY

FIG. 11

After carefully reviewing such excerpt and the remaining IE reference, however, applicant respectfully disagrees with the Examiner's assertion. IE merely discloses an intellectual property identifier in association with the content browsed during use of the network browser, and not identifiers that include intellectual property identifiers, as claimed.

Again, the anticipation criterion has simply not been met by the current reference, especially in view of the amendments made hereinabove. A notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

Yet again, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. For payment of any fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1351 (Order No. SVIPGP004).

Respectfully submitted,
Zilka-Kotab, PC

/KEVINZILKA/

Kevin J. Zilka
Registration No. 41,429

P.O. Box 721120
San Jose, CA 95172-1120
Telephone: (408) 505-5100